UNITED
NATIONS

E

Economic and Social Council

Distr.
LIMITED

E/CN.17/1994/L.1
24 May 1994

ORIGINAL: ENGLISH

COMMISSION ON SUSTAINABLE DEVELOPMENT
Second session
Item 6 (b) of the agenda

REVIEW OF SECTORAL CLUSTERS, FIRST PHASE: TOXIC CHEMICALS AND HAZARDOUS WASTES

Draft decision submitted by the Chairman

Toxic chemicals

1. The Commission noted that efforts to control chemical risks to human health and the environment had not kept pace with the widespread and growing use of chemicals in all sectors worldwide.

2. The Commission recalled that Agenda 21 1/ stated that a significant strengthening of both national and international efforts was needed to achieve an environmentally sound management of chemicals. In that context, the Commission urged Governments, international organizations and relevant non-governmental actors to increase their efforts to ensure that chemicals were used and managed in a sustainable way.

3. The Commission called for United Nations bodies and other international organizations to improve international coordination to avoid the unnecessary duplication of efforts and to strengthen the International Programme on Chemical Safety (IPCS) in order to share the burden of work, involving the World Health Organization (WHO), the International Labour Organization (ILO) and the United Nations Environment Programme (UNEP), as well as the Food and Agriculture Organization of the United Nations (FAO), the United Nations Industrial Development Organization (UNIDO), the Organisation for Economic Cooperation and Development (OECD) and the Commission of the European Union.

1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

4. The Commission took note of the International Conference on Chemical Safety, which was convened by WHO, UNEP and ILO in Stockholm from 25 to 29 July 1994, at the invitation of the Swedish Government, and was attended by 114 Governments and relevant international organizations. The Commission also welcomed the establishment of the Intergovernmental Forum on Chemical Safety, as well as the Priorities of Action adopted by the Conference, which are contained in the annex.

5. The Commission endorsed the Priorities of Action and welcomed in particular the targets and timetables agreed upon, and called on Governments, international organizations and relevant non-governmental organizations to implement the Priorities.

6. The Commission urged Governments, international organizations and non-governmental organizations to actively participate in the Forum, encouraging close links between a strengthened IPCS and the Forum.

7. The Commission welcomed the invitation of Governments to host inter-sessional meetings of the Forum.

8. The Commission acknowledged the important role of the Forum in the follow-up and review of chapter 19 of Agenda 21 and invited the Forum to report to the Commission on its work, when appropriate, before the special session of the General Assembly in 1997.

9. The Commission welcomed the recent progress by the Ad Hoc Working Group of Experts on the Implementation of the Amended London Guidelines in the development of possible elements for a legally binding instrument for the mandatory application of the prior-informed-consent (PIC) procedure on a global level and recommended that UNEP, together with FAO and in close consultation with other international organizations, continue to evaluate and address problems with the implementation of the voluntary PIC procedure and to develop effective legally binding instruments concerning the PIC procedure.

10. The Commission appreciated the recently agreed Code of Ethics on the International Trade in Chemicals, stressing that it should be widely applied by industry in all countries without delay, and emphasized the role of industry as a major player in furthering the objectives in chapter 19 of Agenda 21, especially as regards risk assessment, the provision of data and the adoption and implementation of risk-reduction measures.

11. The Commission took note of the relevant provisions of the Programme of Action for the Sustainable Development of Small Island Developing States, 2/ adopted at the Global Conference on the Sustainable Development of Small Island

---

2/ Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 26 April-6 May 1994 (United Nations publication, forthcoming), resolution 1, annex II.

Developing States, which, among other things, called for appropriate assistance to enable small island developing States to control risks to human health and the environment of their peoples.

12. The Commission recognized the need for Governments to develop appropriate economic instruments to strengthen the sound management of chemicals throughout their life cycle and invited Governments to report to the Commission, at its next session, on their experience of applying economic instruments in that regard.

13. The Commission recognized the importance of taking action to address the health and environmental impacts of chemicals. As one example, it took note of the severe health impacts of human exposure to lead, endorsed the ongoing work on that issue in several international forums and encouraged further efforts to reduce human exposure to lead.

14. The Commission recognized the need for Governments and intergovernmental forums to identify persistent and bio-accumulative chemicals with a view to phasing out or banning such chemicals.

15. The Commission noted the need to assess both the relative cost-effectiveness of programmes for implementing chapter 19 of Agenda 21 and whether the commitments undertaken met the needs of the public, bearing in mind the risk of frequent contact with chemicals in everyday life.

16. The Commission acknowledged that efficient coordination of the work on chemical safety on the part of concerned sectors at the national level, the active participation of industry and employees as part of the mobilization of the non-governmental sector, and the strengthening of the community right to knowledge through environmental reports, eco-audits, emission inventories and similar instruments were important factors for increased chemical safety.

17. The Commission stressed the need for strengthening national capabilities and capacities for the management of chemicals, particularly in developing countries, and encouraged the commitment of Governments to concrete bilateral action in that area.

18. The Commission stressed the need for full implementation of both the agreements on technology transfer contained in chapter 34 of Agenda 21 and the relevant decisions of the Commission. In that context, the Commission urged the international community to find concrete ways and means to transfer to developing countries and economies in transition appropriate technologies as regards toxic chemicals and chemical safety.

19. The Commission urged Governments to mobilize financial resources to respond to the above priorities, as agreed in Agenda 21, chapter 33 and the relevant decisions of the Commission.

20. The Commission invited the task manager to continue to monitor progress made by the United Nations and other international agencies in implementing chapter 19 of agenda 21 and to inform the Commission periodically of such progress through the Inter-Agency Commission on Sustainable Development.

Annex

PRIORITIES FOR ACTION

Introduction

1. While Agenda 21 gives the overall objectives of the six programme areas and suggestions for their implementation, the adopted recommendations indicate priorities for immediate actions and goals to be achieved in the longer term. Agenda 21 states that its successful implementation is first and foremost the responsibility of governments. Accordingly, the given recommendations are first of all dealing with priorities for action by governments, but several of them regard work by which international bodies may develop effective tools for use by governments.

2. Close cooperation between international organizations and governments, and the development and strengthening of cooperation at the regional level are in a great number of cases important means to enhance significantly the result of recommended actions.

3. National implementation of international agreements on chemical safety should be encouraged.

4. At the national level, an efficient coordination of the work on chemical safety by concerned sectors is a prerequisite for successful results. Active participation of employers and workers, mobilization of the non-governmental sector, and strengthening of the community right to know are important factors for increased chemical safety.

5. Much of the work to strengthen chemical safety has been carried out by several United Nations bodies and programmes, the Organisation for Economic Cooperation and Development (OECD), the European Union, a number of countries, industries, trade unions and other non-governmental organizations, resulting in many useful tools for improvement of chemical safety. An expanded knowledge and use of these means should be promoted.

6. Adequate and good quality information on scientific, technical, economic and legal matters are essential for the sound management of chemicals. Developing countries and countries with economies in transition have particular problems in this regard. Bilateral technical assistance, transfer of technology, and other kinds of support should be increased in order to accelerate their development.

7. In all programme areas, there is a need for education and training. Efforts to satisfy this need should be carefully coordinated, and emphasis should be put on training the trainers.

8. Risk reduction activities should take into account the whole life cycle of a chemical, and chemical controls and pollution control initiatives should be closely integrated. Where relevant, the precautionary approach, as outlined in principle 15 of the Rio Declaration on Environment and Development, should be applied.

9. Special attention should be paid to occupational safety and health problems caused by chemicals, primarily in the interest of protecting workers' health. In addition, epidemiological and other data based on human experience have always proven to be valuable with respect to other chemical-related problems.

10. When determining priorities for risk management, the implementation of these will be dependent upon the chemicals management capabilities of individual countries. When setting priorities for international activities, high priority should be given to those where achievement of goals can occur only when action is carried out at the international level. Activities leading to greater efficiency and cost savings, e.g. sharing of risk assessment reports of adequate quality, should be promoted. Completion of work where significant initiatives are well under way should have priority before initiating new programme activities.

11. Major actions undertaken should be monitored to assess progress.

12. The order in which the following recommendations are presented does not indicate various degrees of importance.

Programme area A. Expanding and accelerating international assessment of chemical risks

1. Needs for different types of health and environmental risk assessments should be identified and criteria for setting priorities for the various types of risk assessments should be agreed. Applying these criteria, an initial list of chemicals (including those of high production volume) for risk assessment by the year 1997 should be established as soon as possible.

2. Harmonized approaches for performing and reporting health and environmental risk assessments should be agreed as soon as possible. Such protocols should be based on internationally agreed principles to permit the full use of risk assessments performed by both national authorities and international bodies.

3. An inventory of risk assessments that are planned, in preparation or completed should be established before the end of 1994.

4. Industry should be encouraged to generate and supply data required for risk assessment to the greatest possible extent.

5. Human exposure data, and good quality health effects data from developing countries, should be generated.

6. Taking into account the results of the activities recommended in items 1 and 2 and making full use of the evaluations produced by United Nations bodies, OECD, and others, 200 additional chemicals should be evaluated by 1997.

7. If the target in item 6 is met, another 300 chemicals should be evaluated by 2000.

8. The general principles for establishing guidelines for exposure limits, including the setting of safety factors, needs to be harmonized and described.

Countries should establish guidelines for exposure limits for humans and for particular environmental compartments for as many chemicals as possible, taking into account the harmonization efforts and the potential use of such guidelines.

9. Research and development should be promoted for the better understanding of the mechanisms of adverse effects of chemicals on humans and the environment.

10. Attempts should be made to further reduce the use of vertebrate animals in toxicity testing by encouraging the development, validation and use of alternative methods.

Programme area B. Harmonization of classification and labelling of chemicals

1. The ongoing technical work on classification criteria should be strengthened to enable finalization by 1997. Continued work to harmonize classification systems and to establish compatible hazard communication systems, including labelling and safety data sheets, should be completed by 2000.

2. Countries should ensure that there is sufficient consultation to allow the development of a consistent national position on harmonization of classification systems.

3. An international framework for translating the result of the technical work on harmonization into an instrument or recommendations applicable legally at the national level should be established at an appropriate time.

Programme area C. Information exchange on toxic chemicals and chemical risks

1. Networks for information exchange should be strengthened to take full advantage of the information dissemination capacities of all governmental, intergovernmental and non-governmental organizations.

2. Both the types of information exchanged and the methods of effecting the exchange should be tailored to meet the needs of major groups of users, taking due account of different languages and literacy levels.

3. Relevant data available from international bodies should be consolidated, if economically feasible, by 1997 on CD/ROM or other appropriate electronic media, together with suitable searching and updating facilities.

4. Sources of information useful to responding to chemical emergencies should be established and access to these sources should be readily and rapidly available.

5. Regional cooperation and information exchange networks should be established in all regions as soon as possible.

6. National institutions responsible for information exchange on chemicals should be created or strengthened, according to needs.

7. All countries should have nominated, by 1997, designated authorities for participation in the PIC procedure.

8. Work should continue to evaluate and address problems with implementation of the voluntary PIC procedure and to develop effective international legally binding instruments concerning the PIC procedure.

9. All countries which export chemicals subject to the PIC procedure should have the necessary mechanisms in place by 1997, including implementation and enforcement provisions, to ensure that export does not take place contrary to importing countries' decisions. Importing countries should also establish the necessary mechanisms.

10. In all developing countries and countries in economic transition, training should have been made available by 1997 in the implementation of the London Guidelines and the PIC procedure.

11. The circulation of safety data sheets for all dangerous chemicals being traded should be encouraged, as promoted by the recently agreed Code of Ethics on The International Trade in Chemicals.

Programme area D. Establishment of risk reduction programmes

1. In all countries chemical risks which are both readily identifiable and readily controllable should be reduced as soon as possible. In countries with sufficient resources, plans for the possible reduction of other chemical risks should be elaborated and enacted without delay. Industry, in accordance with the Polluter Pays Principle, has a particular responsibility to contribute to the implementation of risk reduction programmes. Governmental experience and progress in national risk reduction programmes shall be presented in a report by 1997 to serve as a basis for setting goals for the year 2000.

2. The feasibility and usefulness of extending pollutant release and transfer registers to more countries, including newly industrialized countries, should be evaluated and a report prepared by 1997.

3. As a particular priority, the recently agreed Code of Ethics on The International Trade in Chemicals should be applied widely by industry in all countries without delay.

4. Efforts to promote the development and use of clean technology regarding the production and use of chemicals should be encouraged.

5. Countries should review their pesticides safety strategy in order to protect human health and the environment, including surface and groundwater. To reduce pesticide risks, countries should consider promoting the use of adequate safer pesticides, as well as the decreased use by better management practices and the introduction of alternative pest management technologies. A progress report should be prepared by 1997.

6. By 1997 not less than 25 more countries should have implemented systems for prevention of major industrial accidents in accordance with international principles such as those contained in the 1993 ILO Convention (No. 174) on the Prevention of Major Industrial Accidents, and the United Nations Economic

Commission for Europe (UN/ECE) Convention on Transboundary Effects of Industrial Accidents.

7. By 1997 not less than 50 more countries should have introduced national systems for emergency preparedness and response, including a strategy for education and training of personnel, with the aid of, inter alia, the APELL programme and the ILO Code of Practice on the Prevention of Major Industrial Accidents (1991).

8. By 1997 not less than 40 more countries should have established poison control centres with related clinical and analytical facilities, and good progress should have been made on harmonizing systems for recording data in different countries.

9. Priority attention should also be given to finding and introducing safe substitutes for chemicals with which high and unmanageable risks are associated. Governments, industries and users of chemicals should also develop, where feasible, new less hazardous chemicals and new processes and technologies which effectively prevent pollution.

10. While recognizing that risk reduction activities are primarily national responsibilities, international risk reduction programmes could also be warranted for those problems that are international in scope.

11. Attention should also be paid to ensuring that all countries introduce appropriate legislation to implement United Nations Recommendations on the Transport of Dangerous Goods and to ensuring that this legislation is regularly updated whenever the Recommendations are revised, especially in the context of the global harmonization of classification and labelling systems.

Programme area E. Strengthening of national capabilities and capacities for management of chemicals

1. The strengthening of national capabilities and capacities to manage chemicals in a great number of developing countries requires, in addition to funding and support from developed countries, innovative thinking as to how to make best use of existing systems. Bilateral assistance arrangements between developed and developing countries and countries with economies in transition should be encouraged. Efficient regional cooperation is of the utmost importance.

2. National profiles to indicate the current capabilities and capacities for management of chemicals and the specific needs for improvement should be elaborated as soon as possible and not later than 1997.

3. Comprehensive guidelines for chemical legislation and enforcement should be elaborated as soon as possible, taking into account, inter alia, the principles of the 1990 ILO Chemicals Convention (No. 170).

4. By 1997 mechanisms for ensuring liaison of all parties involved in chemical safety activities within a country should be established in the majority of countries.

5. Further education programmes and training courses should be arranged at the national and regional level to provide a core of trained people, both technical staff and policy makers, in developing countries and countries with economies in transition.

6. Efforts should be made to improve the coordination of activities in the area of education, training and technical assistance.

7. As a longer term objective, chemical information systems should be established in all countries, comprehensive legislation should be enacted and enforcement procedures be in place. Continued campaigns to increase the public awareness of chemical risks and their prevention should be run.

Programme area F. Prevention of illegal international traffic in toxic and dangerous products

Until control legislation is in place in a sufficient number of countries, as a basis for further legal international instruments to halt illegal traffic in toxic and dangerous products, all efforts should be made to improve the situation, including strengthening of the PIC procedure.

Domaine d'activité F du programme. Prévention du trafic international illicite des produits toxiques et dangereux

En attendant qu'une législation soit en place dans un nombre suffisant de pays et forme la base de nouveaux instruments juridiques internationaux destinés à mettre fin au trafic illicite de produits toxiques et dangereux, il ne faut ménager aucun effort pour améliorer la situation, notamment en renforçant la procédure PIC.